



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/458,689	12/10/1999	RYO FUJIMOTO	35.G2512	9176

5514 7590 05/29/2002

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

PANNALA, SATHYANARAYA R

ART UNIT PAPER NUMBER

2177

DATE MAILED: 05/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

TK

<b>Office Action Summary</b>	<b>Application</b>	<b>Applicant(s)</b>	
	09/458,689	FUJIMOTO ET AL. <i>TJ</i>	
	<b>Examiner</b>	<b>Art Unit</b>	
	SathyanaRayan Pannala	2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 10 December 1999 .

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-51 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-51 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ .

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_ .

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_ .

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office Action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Tamano et al. (US Patent 6,032,157).
3. Tamano anticipated independent claims 1, 18, 35 by the following:

“input means for inputting relevant information concerning each object in an image” at Fig. 2, col. 5, lines 7-11;

“memory means for storing the relevant information input said input means in association with respective objects” at Fig. 2, col. 5, lines 11-16.
4. As per dependent claims 2, 19, 36, “wherein the relevant information includes at least one of a general name of an object, a qualifier therefor, a proper in thereof, and a position thereof” at Fig. 3, col. 5, lines 32-53.
5. As per dependent claims 3, 20, 37, “wherein the relevant information includes information expressing a state of an object in an image” at Fig. 3, col. 5, lines 21-29.

6. As per dependent claims 4, 21, 38, "wherein the relevant information is relationship information expressing a relationship between one object in an image and another object in the image" at Fig. 5, col. 5, lines 54-63.
7. As per dependent claims 5, 22, 39, "wherein a plurality of words can be specified as the qualifier" at Fig. 3, col. 5, lines 21-29.
8. As per dependent claims 6, 23, 40, "wherein said input means includes position designating means designating a position of an object of interest in an image displayed on a display screen, and display means for displaying an input window used to input relevant information at the designated position" at Fig. 1, col. 3, lines 22-27.
9. As per dependent claims 7, 24, 41, "wherein the position designating means designates positions of two mutually-related objects in an image" at Fig. 8, col. 6, lines 32-42.
10. As per dependent claims 8, 25, 42, "further comprising retrieval requirement input means for inputting requirements for retrieval, and image retrieving means for retrieving images that meet the requirements for retrieval input by said retrieval requirement input means" at Fig. 7-10, col. 6, lines 9-17.
11. As per dependent claims 9, 26, 43, "wherein said input means inputs supplementary information including at least one of imaging-related information of an image, special object information thereof, category formation thereof, impression information thereof, time information thereof, place information thereof, weather information thereof, and event information thereof" at Fig. 7, col. 6, lines 18-31.
12. Tamano also anticipated independent claims 10, 27, 44 by the following:

"memory means for storing objects contained in images in association with relevant information concerning the objects" at Fig. 2, col. 5, lines 11-16; "retrieval requirement input means for inputting requirements for retrieval" at Fig. 7-10, col. 6, lines 9-17; "retrieving means for retrieving images that meet the requirements for retrieval input by said retrieval requirement input means based on the relevant information stored in said memory means" at Fig. 7, col. 6, lines 18-24.

13. As per dependent claims 11, 28, 45, "wherein the relevant information includes at least one a general name of an object, a qualifier therefor, a proper noun thereof, and a position thereof" at Fig. 3, col. 5, lines 32-53.
14. As per dependent claims 12, 29, 46, "wherein the relevant information includes information pressing a state of an object in an image" at Fig. 3, col. 5, lines 21-29.
15. As per dependent claims 13, 30, 47, "wherein the relevant information is relationship information expressing a relationship between one object in image and another object in the image" at Fig. 8, col. 6, lines 43-56.
16. As per dependent claims 14, 31, 48, "wherein a plurality of words can be specified as the qualifier" at Fig. 3, col. 5, lines 21-29.
17. As per dependent claim 15, 32, 49, "further comprising a position designating means for designating a position of an object of interest in an image displayed on a display screen, and display means for displaying an input window used to input relevant information at the designated position" at Fig. 7-10, col. 6, lines 9-17.

18. As per dependent claim 16, 33, 50, "wherein said position designating means designates positions of two mutually-related objects in an image" at Fig. 6, col. 6, lines 1-8.
19. As per dependent claim 17, 34, 51, "wherein said input means inputs supplementary information including at least one of imaging-related information of an image, special object information thereof, category information thereof, impression information thereof, time information thereof, place information thereof, weather information thereof, and event information thereof" at Fig. 7, col. 6, lines 18-31.

***Conclusion***

20. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.
21. If a reference *indicated, as being mailed* on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is (703) 305-9601 for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone number is (703) 305-3390. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone numbers

Application/Control Number: 09/458,689  
Art Unit: 2177

Page 6

for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Sathyanarayan Pannala  
Examiner  
Art Unit 2177

srp  
May 22, 2002



JOHN BREENE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100